

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of	)	
	)	
Telecommunications Relay Services and	)	CG Docket No. 03-123
Speech-to-Speech Services for Individuals	)	
With Hearing and Speech Disabilities	)	
	)	
Structure and Practices of the	)	CG Docket No. 10-51
Video Relay Service Program	)	
	)	

**ANNUAL REPORT OF CONVO COMMUNICATIONS, LLC**

**I. Introduction**

Pursuant to 47 C.F.R. §64.606(g), Convo Communications, LLC (“Convo”) hereby submits its annual compliance report (“Report”) as a fully certified provider of Video Relay Services (“VRS”). Convo received conditional certification to provide VRS on November 15, 2011.<sup>1</sup> Convo became fully certified to provide VRS on December 21, 2016<sup>2</sup>. Convo continues to (1) meet or exceed all non-waived operational, technical, and functional mandatory minimum standards provided in the Commission’s Telecommunication Relay Services (“TRS”) rules; (2) does not differ from the mandatory minimum standards; and (3) makes available adequate procedures and remedies for ensuring ongoing compliance with the Commission’s rules. Convo has consistently submitted on time reports and other information required of it under the TRS rules. . Convo commits to staying in full compliance with the TRS rules<sup>3</sup> and will continue to

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<sup>1</sup> *Notice of Conditional Grant of Application of Convo Communications, LLC for Certification as a Provider of Video Relay Service Eligible for Compensation from Interstate Telecommunications Relay Service Fund*, Public Notice by the Chief, Consumer and Governmental Affairs Bureau, DA 11-1901 (November 15, 2011).

<sup>2</sup> *Notice of Grant of Certification for Convo Communications, LLC for the Provision of Video Relay Service*, Public Notice by the Federal Communications Commission, DA 16 -1433 (December 21, 2016). Convo notified the TRS Fund administrator of its intent to participate in the TRS Fund at the time it became eligible to participate in the TRS Fund as required by §64.604(c)(5)(iii)(G)

<sup>3</sup> Convo has made available to its personnel a VRS Compliance Manual and VI Policy Handbook which includes detailed information on the TRS rules. Convo has also developed Operational Procedures which documents for its

timely file all of the reports required by the Commission rules, including annual reports demonstrating its continued compliance with TRS rules, and updating other information.

Convo hereby incorporates by reference in this document its previous application for certification (“Application”) with its exhibits<sup>4</sup> and asserts that all statements made in the Application and Exhibits remain true and accurate, with the exception of the updates provided herein. Convo also incorporates into this Report its annual compliance reports provided to the Commission since its application, including their accompanying documentation.<sup>5</sup> Where applicable, Convo has attached to this Report updates to the documentation previously submitted to the Commission.

Convo describes below how it currently meets or exceeds and will continue to meet all non-waived mandatory minimum standards for VRS provided in 47 C.F.R. §64.604 et. seq.

## **II. Operational Standards**

**1. Communication Assistants (“CAs”)/Video Interpreters (“VIs”).** All CAs at Convo continue to be subject to rigorous entrance requirements, demonstrate high level service level competency, receive quality training, and be subject to the compliant employment practices as described in Convo’s Application and subsequent related filings. All Convo CAs are qualified interpreters capable of interpreting effectively, accurately and impartially, both receptively and

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personnel Convo operational policies and practices. Further, Convo has implemented a Compliance Plan (Exhibit B herein).

<sup>4</sup> Convo Communications, LLC, *Amended and Restated Video Relay Service Certification Application*, CG Docket No. 10-51 (filed Nov. 4, 2011).

<sup>5</sup>Annual Report of Convo Communications, LLC Docket Nos. 03-123 and 10-51 (filed Nov. 14, 2016); Annual Report of Convo Communications, LLC Docket Nos 03-123 and 10-51 (filed Nov. 11, 2015); Annual Report of Convo Communications, LLC CG Docket Nos. 03-123 and 10-51 (filed Nov. 13, 2014); Convo Communications, LLC Annual Report on Compliance with the Regulations Applicable to VRS As Set Forth in Section 64.604 (filed Nov. 15, 2013); and Convo Communications, LLC Annual Report on Compliance with Non-Waived Mandatory Minimum Standards Applicable to VRS As Set Forth in Section 64.604 (filed Nov. 15, 2012).

expressively, using any necessary specialized vocabulary.<sup>6</sup> All Convo CAs are required to have competent skills in grammar, spelling, and familiarity with deaf, hard of hearing and other disability cultures, languages and etiquette, and possess clear and articulate voice communications and all CAs continue to receive training to ensure that they effectively meet the specialized communication needs of deaf and hard of hearing individuals.<sup>7</sup> Convo continues to require its CAs continued to stay on each call for a minimum of ten minutes (unless the CA and the VRS user are not able to communicate effectively)<sup>8</sup> and transmit conversations in real time.<sup>9</sup> Convo makes its best effort to accommodate requests for CAs of a specific gender when a call is initiated or during a transfer to a new CA.<sup>10</sup> CAs are strictly compensated on an hourly basis and are not compensated, given a preferential work schedule or otherwise provided a benefit based upon the number of VRS minutes or calls that they handle, either individually or as part of a group.<sup>11</sup>

All Convo CAs are employees of the company and service all VRS calls placed through Convo with the exception of calls which require Spanish interpreting. Convo continues to contract with Purple Communications, Inc (“Purple”) to provide Spanish interpreting twenty four hours a day each day of the year for calls made through Convo’s VRS involving eligible deaf and Spanish-speaking callers. This service primarily ensures telecommunication access for Spanish speaking families with children at schools for the deaf that are using Convo videophones.<sup>12</sup>

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<sup>6</sup> 47 C.F.R. §64.604(a)(1)(iv).

<sup>7</sup> 47 C.F.R. §64.604(a)(1)(i) and (ii).

<sup>8</sup> 47 C.F.R. §64.604(a)(1)(v). Order, CG Dkt. No. 03-123, FCC 06-81, ¶¶1, 9 (June 16, 2006).

<sup>9</sup> 47 C.F.R. §64.604(a)(1)(vii).

<sup>10</sup> 47 C.F.R. §64.604(a)(1)(vi).

<sup>11</sup> 47 C.F.R. §64.604(c)(5)(iii)(N)(3).

<sup>12</sup> 47 C.F.R. § 64.604(c)(5)(iii)(N)(1)(iii) permits a certified TRS provider to engage another certified TRS provider

**2. Confidentiality and Conversation Content.** Convo continues to prohibit its CAs from disclosing the contents of any relayed conversation and keeping records of the content of calls beyond the duration of the call.<sup>13</sup> Convo also continues to prohibit its CAs from intentionally altering a relayed conversation and requires that conversations are translated verbatim unless directed otherwise by the callers.<sup>14</sup> Convo continues to maintain strict confidentiality of all VRS calls by limiting access to its call centers only to authorized personnel.

**3. Types of Calls.** Convo continues to prohibit its CAs from refusing single or sequential calls or limiting the length of calls.<sup>15</sup> Convo continues to be capable of handling all types of calls that have not been waived by the Commission.<sup>16</sup> As required by non-waived §64.604 (a)(3)(v) standards, Convo provides: a) two-line voice carry over (“VCO”) and hearing carry over (“HCO”); b) one-line VCO and HCO for SIP-based products; c) VCO and HCO to TTY; d) VCO to VCO; and e) HCO to HCO. Convo CAs alert callers when they have dialed a number answered by a recorded message and interactive menu.<sup>17</sup> Convo supports speed dialing and three-way calling functionalities.<sup>18</sup> When requested to do so, Convo CAs can also leave voice messages on voice mail systems and retrieve voice messages for callers.<sup>19</sup> Convo also continues to provide video mail service so that its callers may leave messages when the recipient is unavailable.

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to help handle the interpretation of their VRS calls.

<sup>13</sup> 47 C.F.R. §64.604(a)(2)(i).

<sup>14</sup> 47 C.F.R. §64.604(a)(2)(ii).

<sup>15</sup> 47 C.F.R. §64.604(a)(3)(i).

<sup>16</sup> 47 C.F.R. §64.604(a)(3)(ii). Report and Order, Order, Declaratory Ruling, and Further Notice of Proposed Rulemaking, CG Docket No. 03-123, 79 FR 62875 (rel. August 22, 2014, pub. October 21, 2014); Convo Communications LLC, Minimum Standards Waiver Report (April 16, 2013); Letter from ASL Services Holdings, LLC, Sorenson Communications, Inc., CSDVRS, LLC, Convo Communications, LLC, Hamilton Relay, Inc., Purple Communications, Inc., Sprint Corporation, and Hancock, Jahn, Lee and Puckett, LLC, d/b/a “Communication Axxess Ability Group” to Marlene H. Dortch, Secretary, FCC, CG Docket No. 03-123 (April 8, 2014).

<sup>17</sup> 47 C.F.R. §64.604(a)(3)(vii), codified for TTY users, has been implemented by Convo to the extent practicable for VRS.

<sup>18</sup> 47 C.F.R. §64.604(a)(3)(vi).

<sup>19</sup> 47 C.F.R. §64.604(a)(3)(viii).

**4. Emergency Call Handling.** Convo continues to prioritize inbound 911 calls ahead of all incoming VRS calls and automatically and immediately connects such calls with the appropriate Public Safety Answering Point (“PSAP”).<sup>20</sup> For dialed around emergency calls, the Convo CA immediately collects the name and location information of the caller to connect with the appropriate PSAP.<sup>21</sup> Convo ensures that any information obtained as a result of handling an emergency call is made available only to PSAP or law enforcement personnel and is used for the sole purpose of identifying the caller’s location or for other emergency or law enforcement purposes.<sup>22</sup> Convo obtains a registered location from customers as part of its initiation of service<sup>23</sup> and provides them with several methods of updating their registered location at will, in a timely manner, including through the use of iTRS access technology.<sup>24</sup>

For each 911 call, Convo transmits to the PSAP or appropriate local emergency authority information from or through the appropriate automatic location (“ALI”) database<sup>25</sup> and ensures that the PSAP has the Automatic Number Identification (“ANI”), the caller’s registered location, the name of the VRS provider and the CA’s identification number.<sup>26</sup> To the extent that the PSAP, designated statewide default answering point, or appropriate local emergency authority is incapable of receiving and processing either ANI or location information, Convo still transmits the caller’s registered location through the wireline E911 network.<sup>27</sup> Convo also can immediately re-establish contact with the user and the appropriate emergency authority and resume handling

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<sup>20</sup> 47 C.F.R. §64.604(a)(4) applies to TTY-based TRS providers, 47 C.F.R. §64.605 provides the additional emergency calling requirements for Internet-based TRS providers.

<sup>21</sup> 47 C.F.R. §64.605(a)(2)(iii).

<sup>22</sup> 47 C.F.R. §64.605(a)(2)(vi).

<sup>23</sup> 47 C.F.R. §64.605(b)(4)(i).

<sup>24</sup> 47 C.F.R. §64.605(b)(4)(ii).

<sup>25</sup> 47 C.F.R. §64.605(b)(2)(iv).

<sup>26</sup> 47 C.F.R. §64.605(b)(2)(ii).

<sup>27</sup> 47 C.F.R. §64.605(b)(2)(iii).

the call in the event one or both legs of the call are disconnected.<sup>28</sup>

**5. Visual Privacy Screens/Idle Calls.** Convo continues to prohibit its CAs from using privacy screens and requires the disconnection of a VRS call if a party enables a privacy screen or similar feature or is otherwise unresponsive or unengaged for more than 5 minutes, unless it is a 9-1-1 emergency call or the caller or called party is legitimately on hold and is present and waiting for active communications to commence.<sup>29</sup>

**6. International Calls.** Convo continues to prohibit VRS calls which originate from an international IP address with the exception of calls made by customers who have pre-registered with Convo for specified time periods and regions of their travel and Convo verifies the identity and location of such callers.<sup>30</sup>

### **III. Technical Standards**

**1. Speed of Answer.** Convo continues to meet or exceed the FCC's requirement that at least 80 percent of all VRS calls are answered within 120 seconds, measured on a monthly basis, including abandoned calls.<sup>31</sup> Convo also ensures adequate call center staffing to provide callers with efficient access under projected calling volumes, so that the probability of a busy response due to CA unavailability is functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network.<sup>32</sup>

**2. TRS Facilities.** Convo continues to provide VRS in real-time twenty four hours a day,

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<sup>28</sup> 47 C.F.R. §64.605(b)(2)(v).

<sup>29</sup> 47 C.F.R. §64.604(a)(6).

<sup>30</sup> 47 C.F.R. §64.604(a)(7).

<sup>31</sup> 47 C.F.R. §64.604(b)(2)(iii). In *Sorenson Communications Inc., et al v. Federal Communications Commission, et al* (No. 13-1215 (September 2, 2014)), the United States Court of Appeals for the District of Columbia Circuit vacated the Commission's recently adopted speed of answer requirement and remanded it to the Commission for further consideration. Convo complies with the speed of answer requirement as currently effective.

<sup>32</sup> 47 C.F.R. §64.604(b)(2)(i).

seven days a week.<sup>33</sup> The Convo network continues to incorporate redundancy as described in its Application in every single aspect involved in Convo's call processing and operations, including throughout Convo's data processing and storage facilities, hardware, software, public and private networks, and connections, to ensure reliable and continuous service.<sup>34</sup> All Convo CAs continue to work from call centers and do not relay calls from a location primarily used as a residence.<sup>35</sup> Convo continues to independently own and operate its automatic call distribution ("ACD") platform.<sup>36</sup>

**3. Caller ID.** Convo continues to automatically transmit to the called party the ten digit number of the calling party, when available, or Convo's facility number.<sup>37</sup>

#### **IV. Functional Standards**

**1. Public Access to Information.** Convo continues to engage in efforts to educate all segments of the public of the availability of VRS.<sup>38</sup> Convo regularly conducts public outreach activities regarding the availability and benefit of VRS through online resources, such as Facebook, Twitter, and Internet blogs, as well as through sponsorship of a variety of deaf and hard of hearing events, conferences and exhibits.

**2. Rates.** Convo continues to handle long distance calls at no charge to its users.<sup>39</sup>

**3. Data Collection and Audits.** Convo continues to track and report true and accurate

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<sup>33</sup> 47 C.F.R. §64.604(b)(4)(i).

<sup>34</sup> 47 C.F.R. §64.604(b)(4)(ii).

<sup>35</sup> 47 C.F.R. §64.604(b)(4)(iii).

<sup>36</sup> 47 C.F.R. §64.604(b)(4)(iv).

<sup>37</sup> 47 C.F.R. §64.604(b)(6).

<sup>38</sup> 47 C.F.R. §64.604(c)(3).

<sup>39</sup> 47 C.F.R. §64.604(c)(4).

call data, including historical and projected information.<sup>40</sup> Convo continues to employ an automated record keeping system to capture call records and speed of answer compliance data<sup>41</sup> and submits such data electronically, in a standardized format, without allowing human intervention during the call session for either conversation or session time.<sup>42</sup> A Convo senior executive with first-hand knowledge always certifies the accuracy, completeness and compliancy of the information provided.<sup>43</sup> Convo's submissions have generally proven to be complete, reliable and effective for the TRS Fund Administrator. Where necessary, Convo promptly corrects errors identified in its filings. Convo has always submitted to Commission audits and commits to continuing to do so in the future.<sup>44</sup> Convo retains all of its call detail records and other substantiating information reported, in an electronic format, for a minimum of five years.<sup>45</sup>

**4. Whistleblower Protections.** Convo continues to provide in writing an accurate and complete description of the TRS whistleblower protections to all covered personnel, including in its VRS Compliance Manual and employee handbook. Convo also posts the information in public work spaces. Information regarding whistleblower protections is also included in compliance trainings.<sup>46</sup>

**5. Eligibility for Reimbursement.** Convo continues to offer its services in a manner which clearly identifies Convo as the provider of such service and Convo does not offer a sub-brand.<sup>47</sup> Except for Spanish language interpretation as described in Part II Section 1 above, Convo does not contract with a third party to provide interpretation services or call center

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<sup>40</sup> 47 C.F.R. §64.604(c)(5)(iii)(D)(1), (2) and (3).

<sup>41</sup> 47 C.F.R. §64.604(c)(5)(iii)(D)(4)(i).

<sup>42</sup> 47 C.F.R. §64.604(c)(5)(iii)(D)(4)(ii).

<sup>43</sup> 47 C.F.R. §64.604(c)(5)(iii)(D)(5), §64.604(c)(5)(iii)(I).

<sup>44</sup> 47 C.F.R. §64.604(c)(5)(iii)(D)(6).

<sup>45</sup> 47 C.F.R. §64.604(c)(5)(iii)(D)(7).

<sup>46</sup> 47 C.F.R. §64.604(c)(5)(iii)(M).

<sup>47</sup> 47 C.F.R. §64.604(c)(5)(iii)(N)(1)(ii).



functions.<sup>48</sup> All third-party contracts to provide Convo with services or functions related to the provision of VRS other than interpretation services or call center functions are in writing and are available to the Commission or the TRS Fund Administrator upon request.<sup>49</sup>

**6. Call Center Reports.** Convo has timely filed written reports with the Commission and the TRS Fund Administrator providing the required call center information bi-annually and at least 30 days in advance of any changes of call centers.<sup>50</sup>

**7. Remote Training Session Calls.** Convo continues not to arrange, schedule, sponsor, host, conduct or promote remote training sessions or comparable activity which involve VRS calls.<sup>51</sup>

**8. Consumer Complaints.** Convo continues to be compliant with all procedures and time frames specified in the Commission's rules for the handling and resolution of consumer formal or informal complaints filed against Convo and has maintained and timely submitted consumer complaint logs.<sup>52</sup> Convo's designated agent for receiving complaints, inquiries, orders, decisions and notices from the Commission is Jeff Rosen, General Counsel, 2028 E Ben White Blvd, #240-2168, Austin, TX 7874, 240-406-7238, jeff@convorelay.com.

**9. End-User Information.** Any customer information that Convo acquires is used only for the purpose of connecting TRS users with called parties, and is not sold, distributed, shared or revealed in any other way.<sup>53</sup> As further provided below, Convo fully complies with the applicable rules pertaining to the handling of customer proprietary network information

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<sup>48</sup> 47 C.F.R. §64.604(c)(5)(iii)(N)(1)(iii).

<sup>49</sup> 47 C.F.R. §64.604(c)(5)(iii)(N)(1)(v).

<sup>50</sup> 47 C.F.R. §64.604(c)(5)(iii)(N)(2).

<sup>51</sup> 47 C.F.R. §64.604(c)(5)(iii)(N)(4).

<sup>52</sup> 47 C.F.R. §§64.604(c)(1), 64.604(c)(6).

<sup>53</sup> 47 C.F.R. §64.604(c)(7).

(“CPNI”).

**10. Discrimination and Preferences.** Convo has not and will not: (i) directly or indirectly, by any means or device, engage in any unjust or unreasonable discrimination related to practices, facilities, or services for or in connection with its relay service; (ii) engage in or give any undue or unreasonable preference or advantage to any particular person, class of persons, or locality, or (iii) subject any particular person, class of persons, or locality to any undue or unreasonable prejudice or disadvantage.<sup>54</sup>

**11. Unauthorized and Unnecessary use of VRS.** Convo has not and will not engage in any practice that causes or encourages: (i) false or unverified claims for TRS Fund compensation; (ii) unauthorized use of VRS; (iii) the making of VRS calls that would not otherwise be made; or (iv) the use of VRS by persons who do not need the service in order to communicate in a functionally equivalent manner.<sup>55</sup> Convo will not seek payment from the TRS Fund for any minutes of service it knows or has reason to know are resulting from such practices. If Convo becomes aware of such practices being or having been committed by any person, Convo will, as soon as practicable, report such practices to the Commission or the TRS Fund Administrator. Convo requires its CAs to immediately terminate any calls which do not involve an individual eligible to use VRS and which do not appear to be a legitimate VRS call pursuant to the TRS rules and Convo’s internal policies.

## **V. Notification Requirements**

**1. Substantive Changes.** Convo has notified and will continue to notify the Commission of substantive changes in its TRS program, service, or features within 60 days of the time that

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<sup>54</sup> 47 C.F.R. §64.604(c)(12).

<sup>55</sup> 47 C.F.R. §64.604(c)(13).

such changes occur, and will certify continued compliance with the FCC's minimum standards after such changes are implemented.<sup>56</sup>

**2. Service Interruptions.** Convo commits to providing VRS without unauthorized voluntary service interruptions.<sup>57</sup> If Convo seeks to voluntarily interrupt service, Convo will seek advance authorization. In the event of an unforeseen service interruption due to circumstances beyond Convo's control, Convo will timely provide information to the Commission via written notice and to the public through an accessible web site as prescribed in the TRS rules.<sup>58</sup>

**3. User Notifications.** Convo continues to provide the required advisory on its website and promotional materials to VRS users regarding E911 services and numbering and obtains and keeps a record of registered users' affirmative acknowledgment of having received and understood the advisory.<sup>59</sup>

## **VI. Customer Registration, Phone Numbers, Porting & Proprietary Information**

**1. Default Provider.** Convo continues to provide users with the capability to register with Convo as the user's "default provider." When a user asks for Convo to be their default provider, Convo continues to either facilitate the user's valid number portability or, if the user does not wish to port a number, Convo continues to assign geographically appropriate North American Numbering Plan ("NANP") telephone numbers; and route and deliver all of the user's inbound and outbound calls unless the user chooses to place a call with, or receives a call from, an alternate provider. Convo also continues to require its customers to self-certify in accordance with the TRS rules as part of Convo's registration process, maintains the confidentiality of the

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<sup>56</sup> 47 C.F.R. §64.606(f)(2).

<sup>57</sup> 47 C.F.R. §64.606(h)(1).

<sup>58</sup> 47 C.F.R. §64.606(h)(2) and (3).

<sup>59</sup> 47 C.F.R. §64.611(g).

registration and certification information and verifies that the location provided by the customer in registering is complete, accurate and in the United States or its territories.<sup>60</sup> Convo continues to obtain and handle routing information compliant with the TRS rules.<sup>61</sup> Convo does not provision proxy numbers.<sup>62</sup> Convo continues not to assign or issue VRS users toll free numbers, and links on request any VRS user's toll free number subscribed from a toll free service provider with a geographically appropriate NANP number in the TRS Numbering Directory.<sup>63</sup>

**2. Change of Default Provider.** Convo commits to strict compliance with the TRS rules on changes to default TRS providers.<sup>64</sup> Convo and its numbering partner will not port a number prior to obtaining verified authorization from the user by a written or electronically signed authorization. Convo will continue to maintain for at least 5 years all records of the verified authorization. Convo will implement the port within 60 days of verification. During the port, Convo will not (i) reduce the level or quality of service, or (ii) reduce the functionality of VRS access technology. Convo's letter of authorization continues to be a separate document, located on a separate screen or webpage and is titled "Letter of Authorization to Change my Default Provider." Convo requires that the letter of authorization be agreed upon by the user and is electronically dated. Convo's letters of authorization submitted with an electronically signed authorization includes the consumer disclosures required by Section 101(c) of the Electronic Signatures in Global and National Commerce Act. Convo's letter of authorization is printed with a type of sufficient size and readable type to be clearly legible and contains clear and unambiguous language that confirms: (1) the user's registered name and address and each

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<sup>60</sup> 47 C.F.R. §64.611(a)(3).

<sup>61</sup> 47 C.F.R. §64.611(c).

<sup>62</sup> 47 C.F.R. §64.611(d).

<sup>63</sup> 47 C.F.R. §64.611(e); 47 C.F.R. §64.613(a)(3).

<sup>64</sup> 47 C.F.R. §64.631 through 64.636.

telephone number; (2) the decision to change the default provider; (3) that the user designates Convo to act as the iTRS user's agent and authorizing the new default provider to implement the default provider change; and (4) that the user understands that only one iTRS provider may be designated as the TRS user's default provider for any one telephone number. Convo does not and will not affect freezes which prevent a change in a user's default provider selection unless the user requests a freeze and provides express consent.

When informed by a user or original default provider of an unauthorized default provider change, Convo will (i) notify the FCC's Consumer and Governmental Affairs Bureau (CGB) and (ii) shall inform that iTRS user of the right to file a complaint with the CGB. Convo will also inform the iTRS user that they may contact and file a complaint with the alleged unauthorized default provider. Not more than 30 days after notification, Convo will provide to the CGB a copy of any valid proof of verification of the change. Convo will identify to the TRS Fund Administrator all minutes associated with the user after the date of the alleged unauthorized change.

**3. CPNI.** Per 47 C.F.R. §64.5105 et seq., Convo does not and will not track, use, disclose or permit access to CPNI related to a customer call to a competing provider. Convo understands the limited circumstances it may use, disclose or permit access to CPNI. Convo requires and provides yearly CPNI training, maintains a record of CPNI use, has established a supervisory review process, has a disciplinary process in place should CPNI information be misused, certifies compliance on an annual basis, and has a plan in place to notify CGB if the opt-out process fails. Convo's policy on CPNI use provides individual notice including all the required information to customers when soliciting approval to use, disclose, or permit access to customers' CPNI. Convo follows the limits on the permissible use, disclosure and access to

CPNI. Convo understands that it may obtain opt-in approval to use CPNI through written, oral, electronic, or sign language methods and that such approval or disapproval must remain in effect until the customer revokes, whether in written, oral, electronic, or sign language methods. Convo continues not to share CPNI with third parties; and continues to only use CPNI information for the purpose of providing VRS to its customers.

Convo's policy on CPNI record keeping is to maintain records of approval during the time period that the approval or disapproval is in effect and for at least one year thereafter. Convo requires that notification to obtain opt-out approval be delivered through electronic or written methods, but not by oral or sign language communication (except to obtain limited, one-time use of CPNI for inbound and outbound customer telephone, TRS, or point-to-point contacts for the duration of the call). Convo's policy is to wait a 30-day minimum period of time after giving customers notice and an opportunity to opt-out before assuming customer approval to use, disclose, or permit access to CPNI. Convo authenticates a customer prior to disclosing CPNI based on a customer-initiated telephone contact, TRS call, point-to-point call, online account access, or an in-store visit. Convo will notify law enforcement of a breach of its customers' CPNI as provided in the TRS rules, and does not notify its customers or disclose the breach publicly, whether voluntarily or under state or local law or these rules, until it has completed the process of notifying law enforcement.

Pursuant to Section 64.5109(e) of the Commission's rules, Convo's Annual CPNI Compliance Certification for 2016 is included in this Report as Exhibit F.

## **VII. Interoperability, Technology and Registration Database**

**1. Interoperability.** All Convo customers are able to place a VRS call through any of

Convo's products. Convo's VRS is able to receive calls from, and make calls to, any VRS user. Convo does not and will not take steps that restrict a user's unfettered access to another provider's service, such as providing degraded service quality to VRS users using VRS equipment or service with another provider's service. Convo's provision of VRS and video communications, including their access technology meets the requirements of the VRS Interoperability Profile. By its effective date, Convo will ensure that their VRS access technologies and their video communication service platforms are interoperable with the VRS Access Technology Reference Platform (ACE App), including for point-to-point calls, in accordance with the Interoperability Profile for Relay User Equipment (RUE Profile). Convo participates in the bi-annual interoperability conferences with other VRS providers, as well as routinely tests with providers to ensure Convo products are interoperable with the products of other providers.

**2. Technology.** As noted in Convo's 2012 annual report, Convo migrated to an ACD platform developed in-house by its own engineers on June 21, 2012. Since then, there has been no change in the foundational technology and equipment used to support Convo's call center functions.

**3. Database Provisioning.** Upon receiving notice that the TRS User Registration Database ("TRS-URD") is ready to accept information, Convo will timely submit the required information for each of its users, as well as the users' certifications and consent to transmit their information to the TRS-URD. Convo will not register potential users that do not pass the identification verification check conducted through the TRS-URD. When registering a user that is transferring service from another provider, Convo will submit a properly executed certification if a query of the TRS-URD shows a certification has not been filed. Except for 911 calls, Convo

will validate during the call setup process, prior to call placement, the eligibility of the party on the video side of each call by querying TRS-URD on a per-call basis. Convo will request the removal from TRS-URD user information for any registered user: (A) who informs its default provider that it no longer wants use of a ten-digit number for TRS services; or (B) for whom the provider obtains information that the user is not eligible to use the service.

**4. Hearing Users.** Upon notice that the TRS User Registration Database is available for hearing numbers, Convo will obtain from hearing users the information and certification required by §64.611(a)(5). Further, Convo will ensure confidentiality of this information except as is required by law or regulation; such information will be treated as Customer Proprietary Network Information (see Exhibit G.) Convo will not recognize hearing numbers as VRS numbers and as such will not submit for compensation from the TRS Fund for any VRS calls generated by a hearing iTRS number in compliance with §64.611(a)(5)(ix).

## **VIII. Financial Interest and Organizational Structure**

The Commission requires a submission of a list of individuals or entities that hold at least a 10 percent equity interest in the provider, have the power to vote 10 percent or more of the securities of the provider, or exercise *de jure* or *de facto* control over the provider<sup>65</sup>. Exhibit A updates the list of individuals that hold at least a 10 percent equity interest in Convo, have the power to vote 10 percent or more of the securities of Convo, or exercise *de jure* or *de facto* control over the provider. Exhibit D updates Convo's organizational structure.

## **IX. Certification Documentation**

The following information is attached to this Report as an update to the documents

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<sup>65</sup> 47 C.F.R. § 64.606(a)(2)(ii)(B).



Convo provided the Commission with its Application and subsequent related filings:

- Exhibit A – “Ownership Information”
- Exhibit B – “Call Center Leases”;
- Exhibit C – “Convo Compliance Plan”;
- Exhibit D – “Organizational Structure Diagram”;
- Exhibit E – “Number of Convo’s TRS Personnel”;
- Exhibit F – “List of Sponsorship Agreements”; and
- Exhibit G – “Convo’s Annual CPNI Compliance Certification for 2017”.

Convo certifies that, other than the updates provided herein and attached to this Report, there are no changes to the information and documentation submitted with its Application and subsequent related filings.

## **IX. Conclusion**

Convo has provided and remains committed to providing VRS fully compliant with the Commission’s TRS rules and guidance. Convo will continue to file annual compliance reports demonstrating continued compliance with these rules. Convo appreciates the opportunity to provide high quality, innovative products and services for VRS users.

Respectfully submitted,

Jarrold Musano  
Chief Executive Officer

Jeff Rosen  
General Counsel  
Convo Communications LLC  
2028 E Ben White Blvd, #240-2168  
Austin, TX 7874  
jeff@convorelay.com

December 21, 2017

**CERTIFICATION**

I swear under penalty of perjury that I am Jarrod Musano, Chief Executive Officer, an officer of the above-named reporting entity, and that I have examined the foregoing submissions, and that all information required under the Commission's rules and orders has been provided and all statements of fact, as well as all documentation contained in this submission, are true, accurate, and complete.

A handwritten signature in black ink, appearing to read "Jarrod Musano", written in a cursive style.

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Jarrod Musano, CEO

Date: 12.21.2017

**Exhibit A**

**Ownership Interests**

The individuals or entities that directly or indirectly hold at least a 10 percent equity interest in the provider, have the power to vote 10 percent or more of the securities of the provider, or exercise de jure or de facto control over the provider are:

[Redacted]

**Exhibit B**

**Call Center Leases**

[Redacted]

## **Exhibit C**

### **Convo FCC Regulatory Compliance Plan**

Convo Communications, LLC (“Convo”), as a provider of Telecommunications Relay Services (“TRS”), is committed to full and complete compliance with the rules and regulations of the Federal Communications Commission (“FCC”). Convo has adopted and implemented policies and procedures for complying with the Communications Act (47 U.S.C. § 151 et seq.), FCC’s TRS rules (47 C.F.R. § 64.601 et seq.), and the FCC’s Report and Order and Further Notice of Proposed Rulemaking, dated June 10, 2013 (¶ 134).

#### **Contents**

- Compliance Officer
- VRS Compliance Manual
- Operational Procedures
- Compliance Training
- Whistleblower Policy and Procedures
- Monthly Review of Minutes
- Enforcement

#### **Compliance Officer**

Jeff Rosen is the Compliance Officer for Convo. Jeff Rosen can be reached at [jeff@convorelay.com](mailto:jeff@convorelay.com) or (240) 406-7238. The Compliance Officer is directly responsible for ensuring compliance with §64.604(c)(13) of the TRS rules and the implementation of this Compliance Plan. More specifically, the Compliance Officer oversees: planning and coordinating compliance training for all managers; tracking and responding to changes in the Convo’s business that may impact compliance issues, including assessment of Convo services, products, programs and activities to ensure that they are consistent with the applicable laws and regulations, and with policies that Convo has adopted. The Compliance Officer supervises the Legal Compliance and Policy Manager, Amanda Montgomery, charged with assisting the Compliance Officer in the implementation of the Compliance Plan. The Convo Compliance Plan is published and available to its personnel on Convo’s intranet. The Compliance Officer reports to the Chief Executive Officer.

The Compliance Officer has access to all Convo information, records and documentation. This includes the right to interview employees in connection with investigations of potential non-compliance issues.

Any employee of the Convo has the right to consult with the Compliance Officer and the Legal Compliance and Policy Manager regarding compliance issues. The Compliance Officer and

Manager will treat all such meetings confidentially, and provide a venue for employees to anonymously report matters that may raise compliance issues. Convo will not retaliate against any employee raising a compliance issue, nor tolerate retaliation against an employee raising a compliance issue. Any individual shall have the ability to report any issues anonymously and confidentially.

### **VRS Compliance Manual**

Convo has published and made available to its personnel on Convo's intranet a VRS Compliance Manual. The Manual provides information on Commission TRS rules and requirements applicable to VRS providers.

### **Operating Procedures**

Convo has documented and made available to its personnel on Convo's intranet detailed operational policies and practices for the areas of customer support, general operations, human resources and interpreting/call/centers. These operating procedures ensure awareness, consistency and compliance with the applicable laws, regulations and policies.

### **Compliance Training**

Convo's Compliance Officer trained Convo management on the VRS Compliance Manual and Operating Procedures. Convo managers were required to discuss the VRS Compliance Manual and Operating Procedures with employees and sub-contractors under their supervision. Convo personnel are regularly notified of updates to FCC rules and Convo compliance information to ensure continuous compliance with FCC regulations. Convo conducts its compliance training annually.

Convo's compliance training also includes vlogs detailing TRS rules – current and new – to ensure awareness and compliance with these regulations.

### **Whistleblower Policy and Procedures**

Employees are informed of their right to report fraud, waste, or abuse, anonymously or not, and how they can do so in the VRS Compliance Manual Operating Procedures and training.

Convo provides a complete description of whistleblower protections posted on its internal websites and at its Call Centers. Convo also advises personnel that waste, fraud or abuse may also be reported to the FCC's Office of Inspector General at (202) 418-0473, toll free at (888) 863-2244 or by e-mailing [hotline@fcc.gov](mailto:hotline@fcc.gov) (for more information, see: [www.fcc.gov/oig](http://www.fcc.gov/oig)).

Employees may contact their supervisor or the executive officer of their department to report any compliance concern. The supervisor or executive officer is to contact the Compliance Officer regarding the matter. If employees prefer to make such reports anonymously, they can do so in

writing.

Convo shall not take any reprisal in the form of a personnel action against any current or former employee or contractor who discloses to a Convo Manager, the Commission, the TRS Fund administrator or to any federal or state law enforcement entity, any information that the reporting person reasonably believes evidences known or suspected violations of the Communications Act or TRS regulations, or any other activity that the reporting person reasonably believes constitutes waste, fraud, or abuse, or that otherwise could result in the improper billing of minutes of use to the TRS Fund and discloses that information to a Convo Manager, the Commission, the TRS Fund administrator or to any federal or state law enforcement entity.

### **Monthly Review of Minutes**

Convo's submission of minutes to the TRS Fund Administrator encompasses the following procedures:

#### **Preparation**

1. Convo's Director of I.T., who has expertise with technology and TRS data requirements, prepares the files for submission including the CDRs and SOA.
2. Check with Human Resources and I.T. departments for any changes to the internal numbers and IP address lists and update scrubbed\_destinations and scrubbed\_ip\_ranges tables if necessary.
3. Check with Director of Interpreting for any changes to the call center locations, management, or staff and update call center information if necessary.
4. Execute the billing scripts and generate text files (CSV format)
  - a. QA checks
    - i. Verifies all data replicated from production ACD database to separate Database Server is complete by comparing total number of calls and total number of conversation minutes in each database. (COUNT() and SUM() of calls table and cdrs table.) This step also verifies the periodic script executed by the ACD.
    - ii. Compares scrubbed\_destinations and scrubbed\_ip\_ranges tables with previously submitted internal numbers and IP address lists to determine if a new internal numbers or IP address list must be submitted for this billing month.
    - iii. Verifies completeness of data copied by ETL scripts by confirming call counts across all copied tables.
    - iv. Verify that all previous processes (including the periodic ACD and ETL processes) operated correctly on all records and identify whether any records contain invalid data or are not billable that have not already been identified as such by the ETL process.
    - v. Performs sanity check of previously calculated wait\_secs for each call
  - b. Flags records identified in step 4.a.iv. as not billable.
  - c. Re-execute scripts in step 4.a.

- d. Archive previous billing month's generated billing data
- e. Prepare current billing month's billing data - SOA report; CDR report
- f. Export SOA, CDR, Company Number, and Call Relay Center information into Comma Separated Value (CSV) format files

Perform a final check by doing the following:

- a. Executes quality checks and abandons checks independently and verify that no tests failed.
- b. Performs a spot check of the text files and verify that the call count, abandons, conversation minutes, and session minutes match the totals present in the rlsa\_call\_detail\_records file.
- c. Uploads text files to the Convo Google Docs RLSA folder.
- d. Prepares the Chain of Custody tracker and signs.

### **Review**

1. Convo's General Counsel, who has expertise with TRS compliance requirements, checks for any anomalies.
2. Signs the Chain of Custody
3. Tracks compliance.

### **Certification**

1. Convo's Chief Financial Officer whom has first hand knowledge of the accuracy and completeness of the information provided performs a final check.
2. Quality checks and abandons checks executed independently; verified no tests failed. Spot check performed of text files in the Convo Docs RLSA folder.
3. Signs the Chain of Custody for final check and certification.
4. Certifies under penalty of perjury that:
  - (i) I am \_\_\_\_\_ (name and title) \_\_\_\_\_, an officer of the above-named reporting entity and that I have examined the foregoing reports and that all requested information has been provided and all statements of fact, as well as all cost and demand data contained in this Relay Services Data Request, are true and accurate; and
  - (ii) The TRS calls for which compensation is sought were handled in compliance with Section 225 of the Communications Act and the Commission's rules and orders, and are not the result of impermissible financial incentives or payments to generate calls.

After all of the checks and certifications are completed, the Director of Finance uploads the necessary files in Convo's Google Docs RLSA folder to the RLSA Extranet.

### **Monitoring and Enforcement**

Convo regularly engages in self-audit with compliance requirements by reviewing TRS rules with managers. Convo subjects any new services and products to rigorous review for compliance with TRS rules before public release. Convo actively monitors VI and customer support reports



and interactions to guide compliant practices.

If Convo finds that one or more of its employees have violated TRS Rules in any way, the Compliance Officer, after consulting with qualified person(s), will take appropriate disciplinary measures up to and including suspension, termination, and referral to the appropriate governmental authorities.

If, for whatever reason, it is found that minutes have been improperly billed, Convo will submit a revised or corrected billing report to the TRS Fund Administrator at its earliest opportunity.

**Exhibit D**

**Organizational Structure Diagram**

[Redacted]

**Exhibit E**

**Number of Convo's TRS Personnel**

1. Executive and Officers: [Redacted]
2. Video Phone Installers: [Redacted]
3. Communication Assistants: [Redacted]
4. Marketing & Sponsorship: [Redacted]

**Exhibit F**

**List of Sponsorship Agreements Related to iTRS**

[Redacted]

Total value of all sponsorships: [Redacted]

**Exhibit G**

**Convo's Annual CPNI Compliance Certification for 2016**

- 1. Date filed:** 12/21/2017, covering the prior calendar year 2016
- 2. Name of company(s) covered by this certification:** Convo Communications, LLC.
- 3. Name of signatory:** Jeff Rosen
- 4. Title of signatory:** General Counsel
- 5. Certification:**

I, Rosen, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules for iTRS providers, 47 C.F.R. §64.5105 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.5105 *et seq.* of the Commission's rules as applicable.

The company has not taken actions (i.e., proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received customer complaints in the past year concerning the unauthorized release of CPNI

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed:

*Jeff Rosen*

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Jeff Rosen, General Counsel

**Attachment**  
**Statement of Company CPNI Procedures**

Convo Communications, LLC ("Convo") has established an operating procedure which provides detailed information to employees about the applicable CPNI rules and procedures. Convo has also posted a privacy policy on the front page of its website which includes information for consumers about CPNI rights and obligations. Convo employees received a briefing on the Convo CPNI operating procedure and privacy policy to ensure compliance with CPNI requirements. Convo provides its employees CPNI training annually.

CPNI data is accessible only to those employees with a "need to know" for purposes of serving current subscribers. Those employees with access to CPNI, as well as all Convo managers, receive an annual CPNI quiz to ensure confidence in Convo employees understanding and compliance of CPNI rules. All employees are strictly held to non-disclosure obligations. The Company does not sell, or otherwise release, CPNI to other entities under any circumstances. All contacts with customers are documented through retention of electronic notes and retained for a minimum of three years, as set forth in 47 C.F.R. §64.5109. All Convo sales or marketing campaigns are reviewed by its General Counsel to ensure strict compliance with the Commission's CPNI regulations.

Convo will provide CPNI to a law enforcement agency in accordance with applicable legal requirements. Generally, such legal requirements entail a warrant or subpoena detailing the specific CPNI to be furnished. Convo employees are directed to refer all law enforcement requests for CPNI (whether or not accompanied by a warrant or subpoena) to the Compliance Officer.

